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Paper No. 12

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DEC 30 2002

In re Application of :
Paul Andrew Cronk :
Application No. 09/548,862 :
Filed: April 13, 2000 :
Attorney's Docket No. 102055-0008P1 :

**OFFICE OF PETITIONS
ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed July 31, 2002, by facsimile transmission, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned on August 9, 2001 for failure to timely submit a proper reply to the non-final Office action mailed on May 8, 2001, which set a three (3) month shortened statutory period for reply. The petition and this decision precedes the mailing of a Notice of Abandonment.

On September 17, 2001, in response to an amendment filed September 4, 2001, petitioners were mailed a Notice of Non-Compliant Amendment (37 CFR 1.121). No responses were filed and no extensions of time under 37 CFR 1.136(a) were obtained.

Comes now the petitioner claiming not to have received the September 17, 2001 Notice and asserting that petitioner's current address was indicated in the September 4, 2001 amendment.

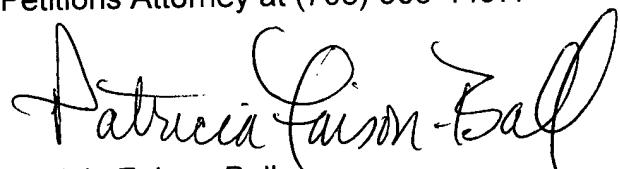
Petitioner's attention is directed to Section 601.03 MPEP concerning change of correspondence address. The attorney or agent is responsible for promptly notifying the Office of any change of address. The notification should be provided in such a manner as to call attention to the fact that a change of address is being made. The mere inclusion, in a paper being filed for another purpose, of an address which is different from the previously provided correspondence address, without mention of the fact that an address change is being made, would not ordinarily be recognized or deemed as instructions to change the correspondence address on the file records. There is no indication that a change of address had been filed in this case prior to the

mailing of the Notice of Non-Compliant Amendment mailed September 17, 2001.¹

As authorized, the petition fee in the amount of \$620.00 has been charged to Deposit Account No. 03-1237.

This application is being forwarded to Technology Center 2800 for appropriate action on the papers filed July 31, 2002 in response to the September 17, 2001 Notice.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (703) 305-4497.



Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹A change of address in accordance with MPEP 601.03 was subsequently filed April 11, 2002.